8767232/2024/VIG-II-AGC01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Agricultural Marketing Department – Departmental Proceedings against Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem under Rule 20 of A.P.C.S.(CC&A) Rules, 1991 – Article of Charges – Issued.

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AGRICULTURE AND CO - OPERATION(VIG-II) DEPARTMENT

G.O.Rt.No.317 **Dated:10.04.2024**

Read the following:-

1. E-file No: AGC05-16021/63/2023-DISCPLR SEC-MRKT (Computer No: 2188578) received from the C&DoAM, A.P., Guntur on 15.02.2024.
2. G.O.Rt.No.187, Agri. & Coop.(Vig.II) Dept., dated:26.02.2024.
3. E-file No.ACG05-16021/63/2023-DISCPLR SEC-MRKT (Computer No. 2188578) dated:01.04.2024 received from the C&DoAM, A.P., Guntur.

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O R D E R:-

It is proposed to hold an inquiry against Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem in accordance with the procedure laid down under Rule 20 of A.P.C.S. (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure – I & II). A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed (Annexure –III & IV).

3. Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem is directed to submit his written statement of defence within 10 days on receipt of this order.

4. Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as DDM on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem is further informed that an inquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny the article of charges.

5. Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as DDM on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem is further informed that if he does not submit his written statement of defense on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

(P.T.O.)

6. The attention of Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as DDM on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem is invited to Rule 24 of the A.P.C.S (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as DDM on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S (Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PARDESH)

CHIRANJIV CHOUDHARY, IFS,
SECRETARY TO GOVERNMENT
(MKTG & COOP) (I/c)

To
Sri M.N.V. Prabhakar Rao,
The then Selection Grade Secretary(FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem.
(Through: The Director of Agricultural Marketing, A.P., Guntur)
Copy to:
The Director of Agricultural Marketing, A.P., Guntur.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M.N.V. PRABHAKAR RAO, THE THEN SELECTION GRADE SECRETARY (FAC), AGRICULTURAL MARKET COMMITTEE, ELURU AND PRESENTLY WORKING AS DDM ON OD AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TADEPALLIGUDEM.

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Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Directorof Marketingon OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has intentionally misappropriated of an amount of Rs.5,05,121/- pertains to Agricultural Market Committee, Eluru Funds and he has committed embezzlement of public money, while he was working as Secretary (FAC), Agricultural Market Committee, Eluru for the period from 18.12.2021 to 02.06.2023. He has willfully used two parallel cheque books of Current Account No. 36291508934 which was maintained in AMC, Eluru and willfully not maintained Current Account Cheque Abstract Register as well as all Records and Registers for the years 2019-20 to 2021-22. Thus he has violated Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules 97, 98,99 and 100 of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964. The details are as follows:

Sl. No.	Particulars	Period/Voucher No.	Amount (in Rs.)
1	Rental dues paid by APSHC upto 31.03.2022	14/2/22 to 24/3/22	63,168
2	IT other than salaries	2021-22	3,480
3	Audit fees for the 2020-21	134/2021-22	83,592
4	Property Tax not credited	189/2021-22	3,54,881
Total:			**5,05,121**

ARTICLE OF CHARGE–I:

"That Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has committed irregularities in misappropriation an amount of Rs.63,168/- towards Rental dues paid by Andhra Pradesh State Housing Corporation, Eluru for the period from 14.02.2022 to 31.03.2022 and same was not credited to AMC Funds during his working period 18.12.2021 to 02.06.2023. Thus he has committed embezzlement of public money, while working as Selection Grade Secretary (FAC) at Agricultural Market Committee, Eluru.

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964".

(P.T.O..4)

ARTICLE OF CHARGE–II:

"That Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has committed irregularities in misappropriation of AMC funds to a tune of Rs.3,480/- towards IT other than salaries and drawn through CFMS for the year 2021-22. The same was not credited IT Department during his working period 18.12.2021 to 02.06.2023. Thus he has committed embezzlement of public money, while working as Selection Grade Secretary (FAC) at Agricultural Market Committee, Eluru.

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964".

ARTICLE OF CHARGE–III:

"That Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has committed irregularities in misappropriation of AMC funds to a tune of Rs.83,592/- towards Audit fee for the year 2020-21 and drawn through CFMS vide Vr. No. 134/2021-22. The same was not credited to Audit Department during his working period 18.12.2021 to 02.06.2023. Thus he has committed embezzlement of public money, while working as Selection Grade Secretary (FAC) at Agricultural Market Committee, Eluru.

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964".

ARTICLE OF CHARGE–IV:

"That Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has committed irregularities in misappropriation of an amount of Rs.3,54,881/- of AMC funds towards Property Tax and drawn from AMC Funds through CFMS vide Vr. No. 189/2021-22. The same was not paid to Eluru Municipal Corporation during his working period 18.12.2021 to 02.06.2023. Thus he has committed embezzlement of public money, while working as Secretary (FAC) at Agricultural Market Committee, Eluru.

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964".

(Contind..5)

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ARTICLE OF CHARGE–V:

"That Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has failed to maintain Current Account Check Abstract Registrar and also maintained two parallel cheque books of current account No. 36291508934 at Agricultural Market Committee, Eluru during his working period 18.12.2021 to 02.06.2023 while working as Secretary at Agricultural Market Committee, Eluru and failed to supervise the maintenance of Registers / Records at Agricultural Market Committee, Eluru during his working period 18.12.2021 to 02.06.2023 as Secretary.

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct becoming of public servant by violating Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964".

CHIRANJIV CHOUDHARY, IFS,
SECRETARY TO GOVERNMENT
(MKTG & COOP) (I/c)

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SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M.N.V. PRABHAKAR RAO, THE THEN SELECTION GRADE SECRETARY (FAC), AGRICULTURAL MARKET COMMITTEE, ELURU AND PRESENTLY WORKING AS DDM ON OD AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TADEPALLIGUDEM ARE PROPOSED TO BE SUSTAINED.

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Basing on report of Regional Deputy Director of Marketing, Vijayawada, Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has committed irregularities in misappropriation of an amount of Rs.5,05,121/- pertains to Agricultural Market Committee, Eluru Funds. He has committed embezzlement of public money, while he was working as Secretary (FAC), Agricultural Market Committee, Eluru for the period from 18.12.2021 to 02.06.2023. He has willfully used two parallel cheque books of Current Account No. 36291508934 which was maintained in AMC, Eluru and willfully not maintained Current Account Cheque Abstract Register as well as all Records and Registers for the years 2019-20 to 2021-22. Thus he has violated Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules 97, 98,99 and 100 of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964. The details are as follows:

Sl. No.	Particulars	Period/Voucher No.	Amount (in Rs.)
1	Rental dues paid by APSHC upto 31.03.2022	14/2/22 to24/3/22	63,168
2	IT other than salaries	2021-22	3,480
3	Audit fees for the 2020-21	134/2021-22	83,592
4	Property Tax not credited	189/2021-22	3,54,881
Total:			**5,05,121**

Imputation to Charge – I:

Rents credited by AP State Housing Corporation, Eluru to the current account not credited to AMC, funds Rs.63,168/-

It is noticed that an amount of Rs.63,168/- was credited to current account towards rental payments by APSHC, for the godown taken lease by them in AMC, Eluru for the period from 14.02.2022 to 31.03.2022.

Imputation to Charge – II:

Credit of IT (other than salaries) Rs.50,553/- not credited

It is noticed that an amount of Rs.1,03,697/- is pending to be credited to IT department (other than salaries) recovered from the Agencies/

(Contind..7)

Persons for the year 2019-20 to 2021-22 held in the current account, but not credited to IT account during his working period 12.09.2018 to 31.12.2020 while working as Secretary. As per the explanation submitted by Smt. K. Parvena Begum, Supervisor (U/s), she has produced IT chalanas of Rs.53144/- and still remaining amount of Rs.50553/- to be credited to IT department towards IT payment.

1.	Amount of IT payable (other than salaries)	: Rs.1,03,697.00
2.	Chalanas produced	: Rs.53,144.00
		.....
	Balance	**: Rs.50,553.00**
		.....

Out of which, an amount of Rs.3,480/- was misappropriated by Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem which is the part of him for the year 2021-22 in the head of IT other than salaries.

Imputation to Charge – III:

It is noticed that in the table at Point No. 8 raised in the point (J) mentioned in the report of RDDM, Vijayawada dated:19.01.2024, Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has drawn Audit fee from the PD account thorough CFMS, but not credited to concerned. The details are as follows:

a. an amount of Rs.83,592/- of AMC funds towards Audit Fees for 2020-21 was drawn from AMC Funds through CFMS vide Vr. No. 134/21-22 and same was not paid to Audit Department during his working period 18.12.2021 to 02.06.2023, while working as Selection Grade Secretary (FAC) at Agricultural Market Committee, Eluru.

Imputation to Charge – IV:

It is noticed that in the table at Point No. 6 raised in the point (J) mentioned in the report of RDDM, Vijayawada dated:19.01.2024, Sri M.N.V. Prabhakar Rao, the then Selection Grade Secretary (FAC), Agricultural Market Committee, Eluru and presently working as Deputy Director of Marketing on OD as Selection Grade Secretary, Agricultural Market Committee, Tadepalligudem has drawn Property Tax from the PD account thorough CFMS, but not credited to concerned. The details are as follows:

a. an amount of Rs.3,54,881/- of AMC funds towards Property Tax was drawn from AMC Funds through CFMS vide Vr. No. 189/2021-22and same was not paid to Eluru Municipal Corporation, during his working period 18.12.2021 to 02.06.2023, while working as Secretary (FAC) at Agricultural Market Committee, Eluru.

(P.T.O..8)

Imputation to Charge – V:

Procedural Lapses:

It is noticed that there are so many procedural lapses observed during the verification of vouchers relating to 19-20, 20-21, and 21-22. As per the instructions of C&DAM issued vide circular S-II(3) 2007 dated:14.06.2007. Audit (1) 63/2011-12 dated:08.09.2011 to get the pre-audit of bills of approval of Audit Dept., all the bills in the AMCs except 1) Pay Bills 2) Pension Bills 3) Water & Electricity 4) Rents & Taxes invariably. But in the AMC, Eluru, lot of bills were drawn through CFMS without Pre-Audit and in some cases, contingent voucher were not produced. The cash book entries are not reconciled with CFMS statement. Irregular Maintenance of Cheque Abstract Register for 2019-20 to 21-22.

It is noticed that in some cases, the amounts mentioned in cheque abstract/ CFMS/ Cash book were not tallied. As per report of RDDM, Vijayawada, the Records / Registers are not maintained properly during his working period 18.12.2021 to 02.06.2023, while working as Secretary(FAC) at Agricultural Market Committee, Eluru.

Excess amount paid to staff account through CFMS: Rs.4,76,801/-

It is noticed that an amount of Rs.4,76,801/- was credited excess from the employee salaries account through CFMS for the last 3 years viz., 2019-20, 2020-21 and 2021-22 and the reasons for excess credits were not known. As per the explanation submitted by Smt. Sk. Parveena Begum, an amount of Rs.3,63,429/- was credited to staff account towards miscellaneous bills and submitted vouchers which are not in proper shape (Xerox). Hence still an amount of Rs.113372/- pending for which details are not produced. Hence, the amounts which were paid in excess from staff account have to be recovered from the employees concerned and to be credited to AMC Funds.

1. As per preliminary report amount credited to staff account : Rs.476801.00
2. Vouchers produced : Rs.363429.00

Balance : Rs. 113372.00

By his above mentioned acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating Rule 31 of A.P.(AP&LS) Markets Rules, 1969 and Financial Rules 97, 98, 99 & 100 of A.P.(AP&LS) Markets Act, 1966 & A.P.Markets Rules, 1969 and Rule 3 of A.P.C.S.(Conduct) Rules, 1964. Hence, the Charges.

CHIRANJIV CHOUDHARY, IFS,
SECRETARY TO GOVERNMENT
(MKTG & COOP) (I/c)

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SECTION OFFICER

(Contind..9)

ANNEXURE–III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI M.N.V. PRABHAKAR RAO, THE THEN SELECTION GRADE SECRETARY (FAC), AGRICULTURAL MARKET COMMITTEE, ELURU AND PRESENTLY WORKING AS DDM ON OD AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TADEPALLIGUDEM

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Report of the Regional Deputy Director of Marketing, Vijayawada, dated:19.01.2024.

ANNEXURE – IV

LIST OF WITNESS BY WHOM BY THE ARTICLE OF CHARGES FRAMED AGAINST SRI M.N.V. PRABHAKAR RAO, THE THEN SELECTION GRADE SECRETARY (FAC), AGRICULTURAL MARKET COMMITTEE, ELURU AND PRESENTLY WORKING AS DDM ON OD AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, TADEPALLIGUDEM ARE PROPOSED TO BE SUSTAINED.

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1. The Secretary, Agricultural Market Committee, Eluru.
2. The Regional Deputy Director of Marketing, Vijayawada.
3. The Regional Joint Director of Marketing, Vijayawada.

CHIRANJIV CHOUDHARY, IFS,
SECRETARY TO GOVERNMENT
(MKTG & COOP) (I/c)

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